



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

NORTH AMERICAN REVIEW.

No. CCLXXXIX.

DECEMBER, 1880.

THE FUTURE OF THE REPUBLICAN PARTY.

THE existence of a party in power for the term of twenty-four years, against an active, persistent, and capable opposition, is an unexampled circumstance in American politics. To be sure, the party of Mr. Jefferson administered the Government for the same period of time, but Mr. Monroe was supported in 1820 by the entire body of the people. There was then no party; the opposition had disappeared; the Administration represented the country.

The passage of the Kansas-Nebraska Bill in 1854 caused the first serious division in the modern Democratic party. The course of Mr. Douglas in 1857, and thenceforward to 1860, resulted in the election of Mr. Lincoln.

The popular vote given to Mr. Lincoln was much less than a majority, however, and the Republican party accepted power under circumstances that even in a time of peace would have been fraught with peril. The election of 1862, although eleven Democratic States took no part in it, was so disastrous to the Republicans, that the majority in the House of Representatives of the Thirty-eighth Congress was less than twenty. At every Presidential election from 1864 to 1880 the contest has been severe, bitter, and always doubtful. In several of these contests the Democrats have gained much by their crimes, and often they have lost much by their stupidity. In the contest just ended, both of these statements have been veri-

fied. By their crimes they conquered, they subjugated Mississippi, Louisiana, and other States of the South that, upon a free vote, would have been Republican; by their blunder they lost New York, Connecticut, and other States of the North, that, except for the tariff issue, might and probably would have sustained the Democratic party.

Had that party been wise, a plain way was open by which they could have made the tariff question a source of strength instead of an element of weakness, as it became by the unskillful management of leaders at Cincinnati.

Senator Eaton, a Democrat, had proposed a commission, to be clothed with power to examine and report upon the entire revenue system of the country. As far as the Senate was concerned, the commission had been created, and nothing was wanting but the concurrent action of a Democratic House. If the party at Cincinnati had abstained from the declaration in favor of a tariff for revenue only, and had announced its purpose to await the report of the commission, and then to so adjust the rates of duty as to furnish revenue and give incidental protection to our industries, the Republican party would have been compelled to accept the position as a reasonable one under the circumstances. To be sure, the doctrine would have been inconsistent with the traditions and history of the Democratic party, and inconsistent, especially, with the platform of 1876, but it is doubtful whether upon argument the business men and laboring men of the manufacturing States could have been aroused, and except for their active efforts this election would have been lost to the Republican party. It might have been argued, it would have been argued, that it was the purpose of the Democratic party to frame a tariff system for revenue only; but such arguments would have been fruitless of results in presence of counter-arguments made by Democratic presses and orators, and based upon the most recent declaration of the party. In human affairs blunders are often closely allied to crimes, and the Democratic party has now lost by a blunder what it otherwise would have gained by crime. Possibly, it may be urged that the declaration at Cincinnati was but the honest expression of party opinion, and that the declaration would have been made at the cost even of the Presidential election. This theory is refuted by the anxiety exhibited by Senator Randolph, and by General Hancock himself, to escape the political consequences of the declaration made at Cincinnati.

Ostensibly General Garfield has been elected upon the tariff issue,

but in reality the tariff became an issue upon the declaration made at Cincinnati, only in consequence of the outrages in the South by which the majorities in Congress had been transferred from the Republican to the Democratic side. Except for this circumstance, the preponderance in favor of Republicans in Congress and in the States would have been such that all anxiety for the protective system would have been quieted.

As the tariff, however, has been in the popular mind a leading issue in the canvass now closed, it must be a leading topic of thought and of legislation by the incoming Administration, until the system is perfected and firmly established in the policy of the country.

But it is to be said that the present tariff, as a system, was not at issue. The principle of protection, however, was at issue, and the verdict was in favor of the principle. No one contends that the system is perfect. The first duty of the Republican party, then, is to perfect the system, so as to provide revenue and furnish protection to our industries. The principle found in the existing system is to rule in any new bill that may be framed. The present law provides revenue and furnishes protection. The two purposes are not inconsistent, as the experience of the country for eighteen years demonstrates, and, with Republicans, protection is not the least important of the two features of the system.

It is not enough, however, to maintain the present system, or to provide an improved system based upon the same principle. Whatever peril may menace the existing tariff is due to a solid South, and a solid South will be a continuing menace to any system designed to protect American industry.

The South—that is, the dominant party in the South—is opposed to a protective tariff upon two grounds : First, the ancient doctrine of State rights is a denial to the General Government of any power under the Constitution to promote industry, encourage development, or stimulate prosperity in the States. In the opinion of the South, the duty and the power of the Government are limited to the enactment of those laws necessary to its existence. The support of the army, the navy, the judiciary, and the Post-Office, and the collection of the revenues necessary therefor, are the chief if not the only duties of the General Government.

The South therefore is opposed, upon principle, to a revenue system designed to protect and encourage the industry of the States, or which in any way recognizes such aid and protection.

Secondly, the advanced industries of the country are in the North, and to the ancient sectional hostility existing in the South is added the bitter recollection of the recent contest and its disastrous results. The prosperity of the North, its rapidly increasing numbers, its wealth augmenting beyond the dreams of avarice, its diversified and growing industries, are but so many evidences to them of Northern greatness and of Southern inferiority. Educated in the dismal doctrines of State rights, they find no satisfaction in any prosperity except that of and by the State. It is not enough, then, to secure the passage of another bill which shall be more perfect as a system than the present law; for, as long as the statutes of the country recognize the doctrine of protection to domestic industry, those statutes will be assailed by the Democratic party, and as long as the South remains solid those statutes will be menaced by uplifted, hostile hands.

If, then, the Republican party is not moved to break the solid South by any higher motive than that of self-interest, it is under an imperative necessity to do so in its capacity as preserver and guardian of the industries of the North.

How can this be done?

It is to be said, first of all, that whatever is undertaken must be undertaken as an Administration measure; and, being an Administration measure, it will be accepted and treated as a party measure. This is not a misfortune. Non-party measures have proved, usually, unwise measures.

Mr. Clay's compromise tariff of 1833 and the slavery compromises of 1850 are memorable instances of ill fortune waiting upon non-party legislation touching great public interests. Of the policy of the Administrations of Jackson and Van Buren, the Independent Treasury system is the only remaining monument, and this from first to last was advocated on one side and resisted on the other as a party measure.

As party measures, the Republicans may claim the prosecution of the war to a successful termination, the emancipation of the slaves, the constitutional amendments, the tariff system, the issue of greenbacks, the funding of the public debt, the establishment of the national banking system, the resumption of specie payments, and many other measures of secondary importance.

In fine, all or nearly all the measures which now contribute to the public prosperity were introduced, advocated, and defended as party measures. Usually, what is done by a party is done under a

deep sense of responsibility, and in the presence of an alert, scrutinizing, and, it may be, unscrupulous opposition.

Under such circumstances the wisest counsels are sought and the most careful deliberation is practiced. The caucus is often a more conservative body than the legislative assembly itself, and many an unwise scheme has been consigned to oblivion by party councils that might have commanded a large non-partisan support.

It may well be said also that the time is past for concessions, compromises, conciliation. A policy of concession, of compromise, of conciliation, will no longer be even tolerated in the Republican party.

The canvass has been conducted upon the ground occupied by the earnest men of the party, and the success of the party is due in the largest degree to the presence and active labors of General Grant, Senator Conkling, and their friends and supporters. Our policy toward the South in its present political attitude must be determined, bold, aggressive. The South respects power, and it respects those who possess power and exhibit courage.

We demand a full, free vote and an honest count. Upon this demand is the issue, and the duty resting upon the Republican party is to extort from the Constitution every legitimate power for the enforcement of this demand.

Each House of Congress is the judge of the election of its own members, and a practicable and not unlikely a sufficient remedy for the outrages upon the ballot-box in the South may be found in the consistent, speedy, and resolute rejection of claimants to seats whose record is tainted with fraud or stained with crime. Whenever it is understood that no person can be admitted to a seat in the Senate or House unless the record of his election is clear, the character of the canvasses in the Gulf States will undergo a change. It is too much to anticipate a free vote and an honest count at once, but new methods would be substituted for the existing ones, and the change could not be for the worse. Whenever it is understood in the South that an election by fraud or force will not count in the government of the country, the South will be unrepresented in part. Democratic districts and Democratic States will be represented, and Republican States and Republican districts will be unrepresented. Thus something will be gained.

As recently as 1868 the Democratic party denounced the thirteenth and fourteenth amendments to the Constitution as null and void, and their recognition of them in later days has been only tacit

and general. Uniformly they have resisted, denounced indeed, every attempt by legislative action to render the three amendments vital and effective in the policy of the country. From our opponents nothing can be expected ; but, whenever the Republicans can command a majority in both Houses of Congress, there ought to be no delay in passing laws for the supervision and protection of the ballots in the election of members of the House of Representatives, and of electors of President and Vice-President.

Moreover, the Senate must assert and exercise its undoubted constitutional prerogative of inquiring into the election of legislative assemblies, whenever the question is raised in deciding the right of a claimant to a seat in the Senate. Of course, the Senate of the United States has no power over the organization of a State Legislature ; but if, upon inquiry, it finds that a State Legislature is an unlawful assembly, and to such an extent as to invalidate its action, then a person claiming a seat in the United States Senate by virtue of the vote of such a body ought to be rejected. In other words, the claim of a body of men in a State to be the Legislature of that State does not preclude inquiry by the Senate when it is called by the Constitution of the United States to decide upon the election, qualification, and return of its own members. Under the Constitution the right of inquiry knows no limits ; and the exercise of that right is within the discretion of the Senate.

Since the war the Democratic party has shown a bitter hostility to the army. In all British history the army has been subject to call by the civil magistrate, as a part of the *posse comitatus*, for the preservation of order and the enforcement of the laws. This conservative power in government is now denied to the civil magistrate by the Democratic party, and for the single reason that it may be used to protect the ballot and to collect the revenue on whisky. It is no part of our purpose to control or influence elections by military power, but the civil magistrate should have the means within call of protecting the ballot and keeping the peace. The bayonet is not the best instrument for collecting ballots, it may not be even a proper instrument ; but when the case arises, and the case has arisen in nearly half of the States of the Union, that the bayonet must be employed to protect the ballot or republican institutions must disappear, there ought to be no hesitancy in using the bayonet to protect the ballot. With the ballot free we can control the bayonet, but when the ballot is suppressed the bayonet is supreme.

But there remains a constitutional power—a power as yet un-

used, a power whose nature and faculties have not received full and final judicial interpretation, but a power adequate, beyond question, to any and every assault that may be made upon republican government in the several States.

By section 4 of Article IV of the Constitution, it is provided that "the United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them from invasion."

This guarantee to the States of a republican form of government is coupled with the highest pledge that can be made by one body-politic to another — protection against invasion. The two pledges considered together are a guarantee of the existence of the State, and of its existence as a republic.

The Supreme Court has given an opinion that the guarantee is to the inhabitants of the respective States, and not to the governments of the States. In considering the varying meanings of the word "State" in our Constitution, the Court say: "There are instances in which the principal sense of the word seems to be that primary one to which we have adverted, of a people or political community, as distinguished from a government. In this latter sense the word seems to be used in the clause which provides that the United States shall guarantee to every State in the Union a republican form of government, and shall protect each of them against invasion. In this clause a plain distinction is made between a State and the government of a State." (*Texas vs. White*, 7 Wallace, 721.)

When we consider the nature of this obligation, its place in the Constitution, and its necessity as a means of protecting the Union itself from undermining and destroying processes, we can entertain only contempt for the doctrine that when the system in a State is republican there can be no further inquiry by the United States, and that the national Government must ever remain a silent spectator of the total subversion of the system in practice. If this be so, it is then only necessary for a body of usurpers in a State to retain a republican form of government, and then proceed to rob the people of every right appertaining to a republican system. And further, if this be so, then the guarantee is to the authorities of the State and not to the people. The guarantee of a republican form or system of government is nothing to the people living under the system unless the administration of it is republican also. Indeed, the guarantee of a republican form of government, when that government has

been seized by usurpers and the people are deprived alike of the rights and of the protection which a republican government is designed to secure, makes the guarantee itself the shield of the oppressor and the menace of the down-trodden.

The guarantee is, then, not of the *form* only, but of the *substance*, the *thing* itself, as well. The republican government guaranteed is a government existing and operating in harmony with the American idea as set forth in our Constitutions, both State and national, or accepted universally and by many successive generations.

Some of the essential features of a republican form of government are these : 1. All just powers are derived from the consent of the governed. 2. The exercise of those powers is by representative men selected by the people, either directly by election or indirectly by appointment. 3. The recognition in the Constitution of the existence of a body of men entitled to the elective franchise. 4. Efficient means for the general and equal enjoyment of the right by all of the class so recognized. 5. Obedience to the will of the majority when, agreeably to the Constitution, that will has been ascertained.

The Congress, including the President, is the United States, for the purpose of making good the guarantee contained in the Constitution ; and when in any State the essential qualities of a republican government are wanting, or the people are generally and systematically deprived of those rights and privileges which are elemental in our republican system, and when all milder means have failed to remedy the evils, it then becomes a duty to assert the power of the United States under the clause of the Constitution quoted, and, by such means as may be adequate, secure to the people a republican government as a practical, existing fact.

Although many years have passed since the outrages in the South assumed national importance, there is still ground for hope that order may be reëstablished, and the equal rights of citizens everywhere recognized ; but it is well in this exigency to assert the existence and unfold the nature of a power adequate to the evil we now confront.

The Republican party bears no hostility to the South as a section. If we are a sectional party, and in one sense we are a sectional party, the circumstance is due to the fact that, in the South, the Republican forces are in a state of duress, and their voice is nowhere heard, nor is their power anywhere felt.

When, however, there shall be freedom of speech, of the press,

and of the ballot, the Republican party will exert every constitutional power for the renovation of the waste places in the South. Whatever can be done, under the Constitution, for the improvement of its rivers and its harbors, for the rebuilding of its levees, for the development of its agriculture, for the extension of its manufactures, for the enlargement of its educational facilities, will be done by the Republican party without delay and without grudging. But all this can be done, and will be done, for those communities and States only where the equality of all men before the law is a living, practical fact. The two great duties of the Republican party are the protection of the rights of laboring men in the South and the protection of the industry of laboring men in the North. In fine, the two duties are co-related. The exodus teaches that injustice in the South is destined to subject the laborer in the North to an unnecessary and unhealthy competition, while the South is at the same time deprived of the labor essential to its own prosperity and to the prosperity of manufactures in America and Europe.

GEORGE S. BOUTWELL.